

Appl. No. : 09/759,294
Filed : January 11, 2001

COMMENTS

Claims 1-22 and 31-46 remain pending in the present application, Claims 41 and 43 having been amended. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

Applicant would initially like to thank Examiner Burch for quickly and courteously returning Applicant's counsel's voicemail left on February 2, 2004, in which Applicant's counsel asked if the amendment to Claim 41 set forth above would place Claim 41 in condition for allowance. In response, Examiner Burch indicated that changing the term "connected" to "hydraulically coupled" would place Claim 41 in condition for allowance. Thus, on the basis of the "interview" conducted via an exchange of voicemails, and in response to the Office Action mailed September 9, 2003, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Amended Claim 43 Is In Condition For Allowance

The Examiner indicated that Claim 43 would be allowable if amended into independent form. The amendment to Claim 43 rewrites the claim to stand on its own. Thus, Claim 43 is now in condition for allowance. Applicant submits that the amendment to Claim 43 does not change the scope of Claim 43. Rather, as original Claim 43 had been dependent from original Claim 41, the present form of Claim 43 merely re-writes original Claim 43 to expressly include the text of original Claim 41. Thus, all of the equivalents of original Claim 43 are also equivalents of amended Claim 43.

Tschanz Does Not Anticipate Claims 17-19, 21, and 22

Claims 17-19, 21, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Tschanz reference. Applicant respectfully traverses the present rejection.

Tschanz teaches a suspension system including four dampers and various flow and pressure regulators. In particular, Tschanz, as shown in Figure 1 thereof, discloses a suspension system having a first damper 1, a second damper 2, a third damper 3, and a fourth damper 4. the first and second dampers 1,2 are coupled with conduits 7 and 8. The third and fourth dampers 3,4 are coupled with conduits 14, 15.

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Tschanz also shows that the two pairs of dampers are connected with a device 27 which the Examiner identifies as a pressure regulator. This “pressure regulator” 27 is connected with another device R which the Examiner identifies as a flow regulator. However, Tschanz fails to teach a flow regulator and a pressure regulator that are connected only in series between the two pairs of dampers. Rather, Tschanz shows that the “pressure regulator” 27 is connected to the pairs of dampers (1,2) and (3,4) with numerous conduits (i.e., 37, 35, 36, 37, 38, 24, 25) thereby defining a plurality of **parallel** connections between the two pairs of dampers (1,2) and (3,4).

In contrast, Claim 17 recites, among other features, “said first damper pair and said second damper pair being connected together through means for regulating flow, said first pressure regulator and said means for regulating flow being connected only in series between said first damper pair and said second damper pair.”

For example, as shown in the non-limiting embodiment of Figure 5 of the present application, the first and second dampers 82, 84 are connected by a pressure regulator 104, thereby defining a first pair of dampers. The third and fourth dampers 86, 88 are also connected thereby defining a second pair of dampers. The flow rate regulator 134 provides means for regulating flow between the first and second pairs of dampers.

As is clear from the illustration of Figure 5, there is only one serial connection passing through the pressure regulator 104 and the flow rate regulator 134 between the first and second pairs of dampers. There are no other parallel connections through either the pressure regulator 104 or the flow rate regulator 134 between the first and second pairs of dampers. Tschanz fails to teach or suggest such a system.

Thus, Applicant submits that Claim 17 clearly defines over the Tschanz reference. Additionally, Applicant submits that Claims 18, 19, 21, and 22 also define over the Tschanz reference, not only because they depend from Claim 17, but also on their own merit.

Sakai ‘018 Does Not Make Obvious The Suspension System Recited By Claims 41 and 45

Claims 41 and 45 stand rejected under 35 U.S.C. § 103(a) as being obvious over Sakai ‘018. Applicant respectfully traverses this rejection. However, in order to expedite prosecution of the present application, Applicant has amended Claim 41. Applicant hereby expressly reserves the right to further prosecute the original version of Claim 41 through continuation practice.

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As noted above, it was agreed that the amendment set forth above to Claim 41 places Claim 41 in condition for allowance. Thus, the present rejection is moot.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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Dated: March 8, 2004

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